

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	COLLIER/CARTER
)	
v.)	CASE NO. 1:11-CR-56
)	
BILLY R. WOMAC)	

ORDER

On January 9, 2012, Magistrate Judge William B. Mitchell Carter filed a Modified Report and Recommendation¹ recommending (a) the Court accept Defendant's plea of guilty to Count **Two** of the Indictment; (b) the Court adjudicate Defendant guilty of the charges set forth in Count **Two** of the Indictment; and (c) Defendant shall remain on bond pending sentencing in this matter (Court File No. 23). After reviewing the record, the Court agrees with the magistrate judge's modified report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's modified report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

(1) Defendant's plea of guilty to Count **Two** of the Indictment is **ACCEPTED**;

(2) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count **Two** of the Indictment; and

(3) Defendant **SHALL REMAIN ON BOND** pending sentencing on **Thursday, January 12, 2012, at 9:00 am.**

SO ORDERED.

ENTER:

¹ This Modified Report and Recommendation is to replace the Report and Recommendation issued September 20, 2011, which indicated in error that the plea was to Count One (Court File No. 20). The Court treats the Modified Report and Recommendation as replacing the original Report and Recommendation. The Court hereby **RESCINDS** its October 11, 2011 Order adopting the original Report and Recommendation.

/s/

CURTIS L. COLLIER

CHIEF UNITED STATES DISTRICT JUDGE